

## **REMARKS**

### **I. Status of the Claims**

Claims 1-37 stand in this application. In the Office Action mailed on August 21, 2008, claims 1-37 were rejected. Favorable reconsideration and allowance of the standing claims are respectfully requested.

### **II. Rejections Under 35 U.S.C. § 103**

At page 2, paragraph 5 of the Office Action claims 1-37 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kuban et al., United States Patent No. 4,994,908 (“Kuban”) in view of Crawford, Jr., United States Patent No. 5,331,549 (“Crawford”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the obviousness rejection.

Kuban is entirely directed to the tracking and display of room information using a cable television system. Kuban, Abstract. This includes occupancy and status information such as room temperature. There is no teaching or suggestion in Kuban directed to providing any additional status information relating to anything other than the room itself. Furthermore, the Office Action concedes that Kuban fails to teach simultaneously conveying room and occupant status information by relying on Kuban only to teach “an apparatus for the graphical display of room information....” Office Action, page 2, paragraph 6. According to the Office Action, “Crawford teaches a system for monitoring remote systems...similar to that of Kuban, but further teaches simultaneously displaying patient status information and room status information in a common cell.” Applicant respectfully disagrees.

Crawford discloses the tracking and display of physiological status information. While the system does contemplate providing this information in a graphical format which may

reference the room in which the patient is located on a floor, there is no teaching or suggestion of integrating the physiological information with any room status information. According to the Office Action on pages 13-14, “[i]n each display of Crawford...a user can see patient...status information such as vital signs and color coded alter conditions...and also see room status information such as connection of the system to a rooms specific vital sign sensors...” Applicant submits that the Office Action incorrectly characterizes the status of a connection to a patient’s vital sign monitors as room status information. In contrast, Applicant submits that the connection status to a patient’s monitors, along with all other substantive vital sign monitoring signals such as blood pressure, pulse, temperature, etc., relate to the patient’s condition rather than the condition or status of the room. Therefore, Crawford fails to teach at least simultaneously displaying room and occupant status information as required by claim 1.

Consequently, Kuban and Crawford, whether taken alone or in combination, fail to teach every element recited in claim 1. In addition, claims 13, 25 and 37 recite features similar to those recited in claim 1. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claims 1, 13, 25 and 37. Furthermore, if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *See MPEP § 2143.03*, for example. Accordingly, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 2-12, 14-24 and 26-36 that depend from claims 1, 13 and 25 respectively, and therefore contain additional features that further distinguish these claims from the cited references.

Furthermore, Applicant submits that it would not be useful or appropriate to combine the medical/physiological information of Crawford with the administrative information of Kuban as suggested in the Office Action. Applicant submits that a medical professional in a hospital

setting would not be interested in both a patient's medical information and room status information. Medical professionals would instead be interested only in the information necessary for patient care, e.g. the patient's medical information. The room status information, in contrast, would only be of interest to housekeeping, admissions and food service employees, for example. The medical staff likely has no interest in the bed occupancy or cleanliness state of the room, while admissions is not likely to be checking patient EKG's or blood pressure. Therefore, Applicant submits that the combination of the cited references is improper.

### **CONCLUSION**

It is believed that claims 1-37 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 412-918-1100 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the previously authorized deposit account.

Respectfully submitted,

METZ LEWIS LLC

/ Barry I. Friedman /

Barry I. Friedman, Reg. No. 33,695  
Under 37 CFR 1.34(a)

Dated: November 21, 2008

11 Stanwix Street, 18<sup>th</sup> Floor  
Pittsburgh, Pennsylvania 15222  
(412) 918-1100